

Message Text

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ACTION L-03

INFO OCT-01 AF-08 ARA-06 EA-07 EUR-12 NEA-10 ISO-00 IO-13
CIAE-00 DODE-00 PM-04 H-01 INR-07 NSAE-00 NSC-05
PA-01 PRS-01 SP-02 SS-15 AID-05 COME-00 EB-08 FRB-03
TRSE-00 XMB-02 OPIC-03 LAB-04 SIL-01 OMB-01 STR-04
OIC-02 NSCE-00 SSO-00 USIE-00 INRE-00 /129 W
-----101639Z 108157 /45

O R 101554Z MAR 77
FM AMEMBASSY VIENNA
TO SECSTATE WASHDC IMMEDIATE 1029
INFO AMEMBASSY BRUSSELS
AMEMBASSY ROME
AMEMBASSY TEL AVIV
USMISSION UN NEW YORK
AMEMBASSY CAIRO

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STATE FOR SCHWEBEL AND NORRIS

ROME FOR AMBASSADOR LODGE

E.O. 11652: N/A
TAGS: UNIDO, EIND, OCON, PORG, EG, IS, VT, CH, TW
SUBJECT: UNIDO CONSTITUTION, IGC-V, ARTICLE 3 (BIS) OBSERVERS

1. IN AFTERNOON OF MARCH 9, LEGAL WORKING GROUP APPROVED
FOR TRANSMISSION TO CONTACT GROUP A PROPOSAL FOR A MUCH
REVISED VERSION OF ARTICLE 3 (BIS):

"OBSERVER STATUS IN THE ORGANIZATION (SCHALL) (MAY)
BE OPEN, UPON REQUEST, TO THOSE ENJOYING SUCH STATUS
IN THE UNGA."

2. PROPOSAL ALSO CONTAINED FOLLOWING PROVISION:
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"IN A RESOLUTION TO BE ANNEXED TO THE FINAL ACT OF THE
PLENIPOTENTIARY CONFERENCE TO DRAW UP A CONSTITUTION
FOR UNIDO, THE CONFERENCE WOULD INDICATE, WITH REFERENCE
TO ARTICLE 3 (BIS), THAT IT EXPECTS THAT THE HOLY SEE AND
OTHERS ENJOYING OBSERVER STATUS IN THE ORGANIZATION
MAY ESTABLISH PERMANENT OBSERVER MISSIONS, AND THAT

IT URGES ALL SPECIALIZED AGENCIES AND NON-GOVERNMENTAL ORGANIZATIONS THAT ARE TO ENJOY OBSERVER STATUS IN THE ORGANIZATION TO IMPLEMENT GA RES. 2758 (XXVI) OF 25 OCTOBER 1971."

3. COMMENT: (A) USDEL THINKS THIS IS SATISFACTORY RESOLUTION OF PROBLEMS WHICH RESULTED IN AN IMPASSE AT IGC-IV. NO SPECIFIC REFERENCE TO ANY ENTITY -- HOLY SEE, EEC OR OTHER -- WOULD APPEAR IN THE OBSERVER ARTICLE OF THE CONSTITUTION. HOLY SEE GRUDGINGLY AGREES TO SETTLE FOR A SPECIFIC REFERENCE IN A RESOLUTION OF THE PLENIPOTENTIARY CONFERENCE. EEC IS RELIEVED THAT IT DOES NOT HAVE TO ACCEPT OBSERVER STATUS AS AN INTERNATIONAL ORGANIZATION; IN THE LANGUAGE OF THE ARTICLE, IT IS A "THOSE".

(B) OUTSTANDING PROBLEM IS "SHALL" OR "MAY" IN ARTICLE 3 (BIS). CHAIRMAN'S (SUKIJASOVIC - YUGOSLAVIA) PROPOSAL WAS "SHALL". UK, FRANCE, SWITZERLAND, AUSTRIA AND U.S. STRONGLY URGED "MAY". MOTIVATION WAS THAT ISRAELIS WOULD HAVE TO OPPOSE "SHALL" BECAUSE IT WOULD GIVE PLO AN AUTOMATIC RIGHT TO OBSERVER STATUS (THIS IS A QUESTION OF PLO'S PRESTIGE; ISRAEL CONCEDES THAT PLO WILL BE GRANTED OBSERVER STATUS), AND ALSO THAT IT IS TECHNICALLY UNWISE TO ELIMINATE THE DISCRETION OF THE ORGANIZATION IN GRANTING OBSERVER STATUS. WE SOUGHT A CONSENSUS, BUT HAD TO SETTLE FOR BRACKETS, SINCE GP-77 AND GP-D FAVOR "SHALL".

(C) LAST PART OF RESOLUTION REFERRING TO SPECIALIZED AGENCIES AND NGO'S IN THE CONTEXT OF COMPLIM-
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ANCE WITH GA RES. 2758 (XXVI), IS VERY DILUTED VERSION OF A CHINESE PROPOSAL, WHICH WAS INTENDED TO PERMIT EXCLUSION OF THE BANK AND FUND FROM OBSERVER STATUS.

4. EGYPTIAN AMBASSADOR HAS NOW APPROACHED CHAIRMAN US DEL WITH A PLEA THAT U.S. ACCEPT THE WORK "SHALL". AMBASSADOR STATED THAT HIS CONCERN WAS WITH PROBLEM OF PLO. HE HAD NO DOUBT THAT, EVEN UNDER THE "MAY" FORMULA, PLO WOULD BY AN OVERWHELMING MAJORITY BE AWARDED OBSERVER STATUS WITH RIGHT TO ESTABLISH GOVERNMENT OBSERVER MISSION. HOWEVER, EGYPT WAS ANXIOUS TO AVOID STILL ANOTHER POLITICAL/PROCEDURAL DEBATE ON THIS QUESTION. STRESSING THE DESIRE OF EGYPT TO WORK CLOSELY WITH U.S. IN RESOLUTIONS OF MIDDLE EAST PROBLEM, AMBASSADOR URGED THAT U.S. DEL GIVE FURTHER THOUGHT TO THIS MATTER. STIBRAVY

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